

The Public Agenda Session of the Board of Public Works was convened at 10:33 a.m. on Thursday, November 9, 2006, by Board President Gary A. Gilot, with Mr. Carl P. Littrell present. Mr. Donald E. Inks was absent. Also present was Board Attorney Thomas Bodnar. Board of Public Works Clerk Angela K. Jacob presented the Board with a proposed agenda of items presented by the public and by City staff.

Board members discussed the following item(s) from that list.

- Change Order and Project Completion Affidavit – Westside Neighborhood Partnership Center

Mr. Toy Villa, Engineering, stated the Change Order reflects a 7.17% decrease bringing the final contract amount to \$89,160.65.

- Change Order and Project Completion Affidavit – Fiber Optic Communications Upgrade – Phase II

Mr. Tom Bodnar, Legal Department, in a memo stated: The total of all change orders issued that increase the scope of the project may not exceed 20% of the amount of the original contract. A change order issued as a result of circumstances that could not have been reasonably foreseen does not increase the scope of the project. The change orders for this project increase the dollar amount by greater than 30%. The question is whether any of these circumstances were not reasonably foreseeable. The plans called for the conduit to be pushed through a sludge line. The sludge line ran 6,750 feet, and the anticipated cost was \$11.00 per linear foot. Despite copious efforts, the sludge line could not be located. The only alternative was to run galvanized conduit, which costs \$18.00 per foot. The resulting increase, which was not reasonably foreseeable, was \$47,250.00. This increase was not foreseeable because we knew there was a sludge line there and our best efforts could not locate it. Had we known the sludge line could not be located, then the bids would have gone out for galvanized conduit as part of the base bid and the other increases would not exceed 20%. The original contract called for \$447,865.00. With the 20% overage, the amount allowable is \$537,438.00. The final contract amount was \$584,286.00. However, if we subtract the \$47,250.00, the actual cost of the project was \$537,036.00. The total of all change orders issued that increase the scope of the project may not exceed 20% of the amount of the original contract. A change order issued as a result of circumstances that could not have been reasonably foreseen does not increase the scope of the project. The change orders for this project increase the dollar amount by greater than 30%. The question is whether any of these circumstances were not reasonably foreseeable. The plans called for the conduit to be pushed through a sludge line. The sludge line ran 6,750 feet, and the anticipated cost was \$11.00 per linear foot. Despite copious efforts, the sludge line could not be located. The only alternative was to run galvanized conduit, which costs \$18.00 per foot. The resulting increase, which was not reasonably foreseeable, was \$47,250.00. This increase was not foreseeable because we knew there was a sludge line there and our best efforts could not locate it. Had we known the sludge line could not be located, then the bids would have gone out for galvanized conduit as part of the base bid and the other increases would not exceed 20%. The original contract called for \$447,865.00. With the 20% overage, the amount allowable is \$537,438.00. The final contract amount was \$584,286.00. However, if we subtract the \$47,250.00, the actual cost of the project was \$537,036.00.

- Safety Reports – Department of Public Works

Mr. Toy Villa, Engineering; Mr. Sam Hensley, Street Department; Mr. Jack Dillon, Environmental Services; and Mr. Andy Wierzbicki, Water Works, presented their respective Safety Report.

- Monthly Reports

Mr. Andy Wierzbicki, Water Works, and Mr. Jack Dillon, Environmental Services, presented their respective Monthly Report.

- Industrial Discharge Permit Renewals and Extensions

Mr. Jack Dillon, Environmental Services, stated the two (2) renewals are for Heat Treat, Inc. and Honeywell International. The four (4) extensions include Nimet

Industries, Steel Warehouse, New Energy Corporation and Haldex Garphyttan Wire. Nimet Industries, Haldex Garphyttan and Steel Warehouse will receive an extension at this time, as a formula for calculating permit limits is being reviewed for each business. New Energy will also receive an extension until several issues have been resolved.

APPROVE CHANGE ORDER AND PROJECT COMPLETION AFFIDAVIT – RIVER PARK NEIGHBORHOOD PARTNERSHIP CENTER PUBLIC WORKS SERVICE AREA 7 CURB RAMPS – MCINTYRE JONES, INC – PROJECT NO 106-050 – (GENERAL FUND)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted Change Order No. 1 (Final) on behalf of McIntyre Jones, Inc, 2522 West Sixth St, Mishawaka, Indiana, indicating that the contract amount be increased by \$1,047.76 for a new contract sum \$9,009.16, including this Change Order in the amount of \$1,047.76. Additionally submitted was the Project Completion Affidavit indicating this new final cost. Upon a motion made by Mr. Gilot, seconded by Mr. Littrell, and carried, Change Order No. 1 (Final) and the Project Completion Affidavit were approved subject to the filing of the appropriate three-year Maintenance Bond.

APPROVAL OF PROPOSAL

The following Proposal was submitted to the Board for approval:

TYPE	DESCRIPTION	BUSINESS	AMOUNT	MOTION/ SECONDED
Proposal	Services of Inspector for Studebaker Area Demolition – Phase I Project	DLZ Indiana, Inc.	\$75.00 per Hour for 3-6 Weeks; \$18,000 Maximum	Gilot/Littrell

The Clerk was instructed to post the agenda and notify the media and other persons who have requested notice of the meeting agenda. No other business came before the Board. The meeting adjourned at 11:45 a.m.

BOARD OF PUBLIC WORKS

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Gary A. Gilot, President

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Carl P. Littrell, Member

\_\_\_\_\_  
Donald E. Inks, Member

ATTEST:

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Linda M. Martin, Clerk

## REGULAR MEETING

NOVEMBER 13, 2006

The regular meeting of the Board of Public Works was convened at 9:35 a.m. on Monday, November 13, 2006, by Board President Gary A. Gilot, with Mr. Carl P. Littrell and Mr. Donald E. Inks present. Also present was Board Attorney Thomas Bodnar.

### AGENDA ITEMS ADDED

The following item was added to the agenda:

-Encroachment

### APPROVE MINUTES OF PREVIOUS MEETING

Upon a motion made by Mr. Littrell, seconded by Mr. Inks, and carried, the minutes of the public agenda session and the regular meeting of the Board held on October 19, and October 23, 2006, and Special Meetings of October 30 and November 6, 2006 were approved.

### PUBLIC HEARING - TRANSIENT MERCHANT LICENSE

Mr. Gilot advised that this was the date set for the Board's Public Hearing concerning an Application for a Transient Merchant License, as submitted by Mr. David Wistreich, to conduct the sale of Christmas trees November 24, 2006 to December 24, 2006, at 1<sup>st</sup> Unitarian Church of South Bend, 101 E Northshore, South Bend, Indiana. Mr. Gilot stated that favorable recommendations have been received by the Police Department, Fire Department and the Building Commissioner.

Mr. David Wistreich was present and stated this is the third year for this fundraiser and recommended approval. There being no one else present wishing to address the Board concerning this matter, the Public Hearing was closed. Therefore, upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the License Application for a Transient Merchant License was approved.

### PUBLIC HEARING - TRANSIENT MERCHANT LICENSE

Mr. Gilot advised that this was the date set for the Board's Public Hearing concerning an Application for a Transient Merchant License, as submitted by Mr. Don Gilpin, 1326 Norwich Court, South Bend, Indiana, to conduct the sale of Christmas trees November 20, 2006 to December 20, 2006, from 12:00 pm to 8:00 pm, at Center Township Lion's Club, 2801 South Michigan St. Mr. Gilot stated that favorable recommendations have been received by the Police Department, Fire Department and the Building Commissioner.

Mr. Don Gilpin was present and recommended approval. There being no one else present wishing to address the Board concerning this matter, the Public Hearing was closed. Therefore, upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried the License Application for a Transient Merchant License was approved.

### OPENING OF BIDS – UNIFORM RENTALS (USER DEPARTMENTS)

This was the date set for receiving and opening of sealed bids for the above referred to items. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

#### CINTAS

4001 William Richardson Drive  
Post Office Box 359  
South Bend, Indiana 46624

Bid was signed by: Mr. Shawn Campbell  
Non-Collusion Affidavit was in order  
Non-Discrimination commitment form was completed  
Ten percent (10%) Bid Bond was submitted

BID:

Description	Bid
Group I (11 Uniforms each, 5 Changes per Week)	
Rental Price per Employee per Week	\$3.40
Rental Price without Cleaning	\$1.70
Additional Cost for 100% Cotton	\$1.05
Group II (3 Coats or Smocks -1 Piece, 1 Change per Week)	
Rental Price per Employee per Week – Coat	\$.50
Rental Price per Employee per Week – Smock	\$.50
Group III (Jackets & Other Cleaning)	
Cost per Cleaning – Jacket	\$.40
Cost per Cleaning – Coverall (Insulated)	\$.80
Cost per Cleaning – Sweat Shirts	\$.40
OTHER RENTALS	
Floor Mats	
3x4	\$1.20
4x6	\$1.85
3x10	\$2.60
Shop Towels	\$.04
Massage Towels	\$.12
UNIFORM REPLACEMENT COST	
Uniform Pants – Blend	\$14.00
Uniform Pants – 100% Cotton	\$18.00
Uniform Shirts – Blend	\$12.00
Uniform Shirts – 100% Cotton	\$14.00
Uniform Coveralls	\$20.00
Sweat Shirts	\$13.00
Shop Coat	14.60
Smock	14.60
OTHER RENTALS REPLACEMENT COST	
Floor Mats	
3x5	\$45.00
4x6	\$65.00
3x10	\$90.00
Shop Towels	\$.30
Massage Towels	\$1.60

**ARAMARK UNIFORM SERVICES**

115 North First Street  
Burbank, California 91502

Bid was signed by: Aramark Uniform Services  
Non-Collusion Affidavit was in order  
Non-Discrimination commitment form was completed  
Ten percent (10%) Bid Bond was submitted

BID:

Description	Bid
Group I (11 Uniforms each, 5 Changes per Week)	
Rental Price per Employee per Week	\$4.00
Rental Price without Cleaning	\$4.00
Additional Cost for 100% Cotton	\$1.00
Group II (3 Coats or Smocks -1 Piece, 1 Change per Week)	
Rental Price per Employee per Week – Coat	\$.80
Rental Price per Employee per Week – Smock	\$.80
Group III (Jackets & Other Cleaning)	
Cost per Cleaning – Jacket	\$.50
Cost per Cleaning – Coverall (Insulated)	\$.80

Description	Bid
Cost per Cleaning – Sweat Shirts	\$ .80
OTHER RENTALS	
Floor Mats	
3x4	\$1.44
4x6	\$2.88
3x10	\$3.60
Shop Towels	\$ .06
Massage Towels	\$ .14
UNIFORM REPLACEMENT COST	
Uniform Pants – Blend	\$14.00
Uniform Pants – 100% Cotton	\$12.00
Uniform Shirts – Blend	\$26.00
Uniform Shirts – 100% Cotton	\$14.00
Uniform Coveralls	\$18.00
Sweat Shirts	\$14.00
Shop Coat	\$18.00
Smock	\$14.00
OTHER RENTALS REPLACEMENT COST	
Floor Mats	
3x5	\$60.00
4x6	\$90.00
3x10	\$120.00
Shop Towels	\$ .40
Massage Towels	\$1.00

Upon a motion made by Mr. Littrell, seconded by Mr. Gilot, and carried, the above bids were referred to the Purchasing Department and Human Resources for review and recommendation.

OPENING OF QUOTATIONS – ONE HUNDRED TWENTY-SIX (126) MORE OR LESS, MATTRESSES – FIRE DEPARTMENT (288 EMSCIS)

Mr. Gilot advised that this was the date set for the receiving and opening of sealed Quotations for the above referenced items. The following Quotations were opened and read:

**DENVER MATTRESS COMPANY**

11111 East 53<sup>rd</sup> Avenue, Suite F  
Denver, Colorado 80239

Quotation was submitted by Mr. Mark Koch

QUOTATION NO. 1:

Item	Price	Quantity	Extended Price
MS-CBCQDFTX	\$209.00	126	\$26,334.00
FR-HWHMT	\$30.00	126	3,780.00
TOTAL			\$30,114.00

QUOTATION NO. 2:

Item	Price	Quantity	Extended Price
MS-CBLDXTX	\$199.00	126	\$25,074.00
FR-HWHMT	\$30.00	126	3,780.00
TOTAL			\$28,854.00

**WOLF CORPORATION**

Post Office Box 11306  
3434 Adams Center Road

Fort Wayne, Indiana 46857

Quotation was submitted by Mr. Gary Cohen

QUOTATION NO.:

Item	Price	Quantity
Hotel Lifetone	\$205.00	126
Heavy Duty Frame	\$25.00	126

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above Quotations were referred to the Fire Department for review and recommendation.

OPENING OF QUOTATIONS – COPIER – WASTEWATER TREATMENT PLANT

Mr. Gilot advised that this was the date set for the receiving and opening of sealed Quotations for the above referenced items. The following Quotations were opened and read:

**MARKSONPAPER**

605 West Edison Road  
Mishawaka, Indiana 46545

Quotation was submitted by Ms. Leeanna Keen

QUOTATION:

Description	Cost
HP LaserJet M4345 MFP Series Printer	\$4,599.00
Freight	\$100.00
Total	\$4,699.00

**ADAMS REMCO**

2612 Foundation Drive  
South Bend, Indiana 46628

Quotation was submitted by Mr. Rob Koehler

QUOTATION:

Description	Cost
HP LaserJet M4345x MFP Series Printer	\$3,578.89

**CDW GOVERNMENT, INC.**

230 North Milwaukee Avenue  
Vernon Hills, Illinois 60061

Quotation was submitted by Ms. Rebecca Paxton

QUOTATION:

Description	Cost
HP LaserJet M4345 MFP Series Printer	\$2,325.23

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above Quotations were referred to the Environmental Services Department for review and recommendation.

AWARD BID – REFURBISHMENT OF ONE (1) 1997 VACTOR, MECHANICAL SN466, MODEL 2110 (FUND #642)

Mr. Lou Grounds, Central Services, advised the Board that on June 12, 2006, bids were received and opened for the above referred to service. After reviewing those bids, Mr. Grounds recommends that the Board award the contract to the lowest, responsive and responsible bidder, Jack Doheny Supplies/Deeds, in the amount of \$11,985.57.

Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid be awarded as outlined above. Mr. Littrell seconded the motion, which carried.

AWARD BIDS – ABANDONED VEHICLES

Mr. Gary Libbey, Administrative Services Director, advised the Board that on October 23, 2006, bids were received and opened for the above referred to vehicles. After reviewing those bids, Mr. Libbey recommends that the Board award the bids to the highest bidders as follows:

**HALTON L. WEST**  
225 West Donald Street  
South Bend, Indiana 46613

No.	Make of Vehicle	Year	Bid
2.	Red Ford F-150	2003	\$8,500.00
TOTAL			\$8,500.00

**TERRY’S AUTO SALVAGE**  
1926 Tamarack Road  
Walkerton, Indiana 46574

No.	Make of Vehicle	Year	Bid
8.	Green Mercury Villager	1994	\$252.00
14.	Red Chevrolet Cavalier	1996	\$335.00
TOTAL			\$587.00

**INDIANA AUTO PARTS, INC.**  
3300 South Main Street  
South Bend, Indiana 46614

No.	Make of Vehicle	Year	Bid
1.	Blue Chevrolet Caprice	1991	\$211.50
3.	Blue Dodge Neon	1996	\$211.50
4.	White/Red Oldsmobile Cutlass Supreme	1990	\$211.50
5.	Silver Buick Regal	1989	\$211.50
6.	Blue Ford Windstar	1995	\$211.50
7.	Blue Ford Tempo	1990	\$211.50
10.	Black Chevrolet Lumina	1992	\$211.50
11.	White Oldsmobile Cutlass Ciera	1991	\$211.50
12.	Red Dodge Shadow	1990	\$211.50
13.	Gold Oldsmobile 98	1993	\$211.50
14.	Red Chevrolet Cavalier	1996	\$211.50
16.	Blue Lincoln Town Car	1993	\$211.50
TOTAL			\$2,538.00

**MR. STEVE HUBLER**  
20057 5B Road  
Plymouth, Indiana 46563

No.	Make of Vehicle	Year	Bid
17.	Blue Oldsmobile Cutlass Ciera	1993	\$255.60
TOTAL			\$255.60

**BADLANDS**  
66521 State Road 23  
Post Office Box 120  
Wyatt, Indiana 46595

No.	Make of Vehicle	Year	Bid
9.	Green Dodge Intrepid	1999	\$326.00
TOTAL			\$326.00

Therefore, Mr. Gilot made a motion that the recommendations be accepted and the bids be awarded as outlined above. Mr. Littrell seconded the motion, which carried.

AWARD BID – FELLOWS AND IRELAND SIDEWALK IMPROVEMENTS – PROJECT NO 106-084 – (SOUTH SIDE TIF)

Mr. Rob Nichols, Engineering, advised the Board that on November 13, 2006, bids were received and opened for the above referred to project. After reviewing those bids, Mr. Gilot recommends that the Board award the contract to the lowest, responsive and responsible bidder, Ortiz Concrete, 530 Pulaski Street, South Bend, Indiana, in the amount of \$13,250.00. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid be awarded as outlined above. Mr. Littrell seconded the motion, which carried.

REVISED BID AWARD - ABANDONED VEHICLES

Mr. Gary Libbey, Code Enforcement, advised the Board that on October 12, 2006, bids were received and opened for the above referred to vehicles. Item No. 11, a 1988 Gray Pontiac 6000, was awarded to Mr. Halton West, South Bend, Indiana. Mr. West has since decided not to purchase the vehicle. The award was made to the next highest bidder, Indiana Auto Parts, Inc. for \$210.60. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid award be revised as outlined above. Mr. Inks seconded the motion, which carried.

APPROVAL OF REQUEST TO REJECT BIDS – BLACKTHORN GOLF COURSE – BUNKER RENOVATION – PROJECT NO 106-078

Mr. Rob Nichols, Engineering, requested permission to reject the bids for the above referenced project. Upon a motion made by Mr. Inks, seconded by Mr. Littrell, and carried, the request to reject bids was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – ONE (1) MORE OR LESS, HEAVY DUTY RESCUE UNIT, AND ONE (1) MORE OR LESS, MEDIUM DUTY TYPE 1 AMBULANCE – (EMSCIF FUND PENDING LEASE 2007 PROJECT)

In a memorandum to the Board, Chief Luther Taylor, Fire Department, requested permission to advertise for the receipt of bids for the above referenced equipment. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the above request was approved.

APPROVE REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – SALE OF ABANDONED VEHICLES

Mrs. Kathy Eli, Department of Code Enforcement, requested permission to advertise for the sale of approximately thirteen (13) abandoned vehicles, which are being stored at Super Auto Salvage Corporation, 3300 South Main Street, South Bend, Indiana. It was noted that all vehicles have been stored more than fifteen (15) days, identification checks had been run for auto theft and the owners and lienholders notified. Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above request was approved.

APPROVE CHANGE ORDER – FREDERICKSON PARK ENTRANCE, NORTH EXTENSION CLOSURE AND GAS SYSTEM – RIETH RILEY CONSTRUCTION – PROJECT NO 106-018 – (COIT)

Mr. Gary Gilot, advised that Mr. Toy Villa, Engineering, has submitted Change Order No. 1 on behalf of Rieth Riley Construction Company, 3626 Elkhart Rd, Post Office Box 477, Goshen, Indiana, indicating that the Contract amount be decreased \$46,526.00, for a new Contract sum including this Change Order in the amount of \$408,854.00. Upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the Change Order was approved.



APPROVE CHANGE ORDER AND PROJECT COMPLETION AFFIDAVIT – WESTSIDE NEIGHBORHOOD PARTNERSHIP CENTER – SELGE CONSTRUCTION – PROJECT NO 106-043 – (CDBG)

Mr. Gilot advised that Mr. Toy Villa, Engineering has submitted Change Order No. 1 on behalf of Selge Construction, 2833 South 11<sup>th</sup> Street, Niles, Michigan indicating that the Contract amount be decreased \$6,891.10 for a new Contract sum including this Change Order in the amount of \$89,160.65. Upon a motion made by Mr. Gilot, seconded by Mr. Inks, and carried, the Change Order was approved.

APPROVE CHANGE ORDER AND PROJECT COMPLETION AFFIDAVIT – FIBER OPTICS COMMUNICATIONS UPGRADE PHASE II – TRANS TECH ELECTRIC, LLP – PROJECT NO 105-058 – (COIT)

Mr. Gilot advised that Mr. Toy Villa, Engineering has submitted Change Order No. 1 (Final), on behalf of Trans Tech Electric, LLP, 4601 Cleveland Rd, South Bend, Indiana, indicating that the contract amount be increased by \$90,781.00 for a new contract sum \$584,286.00 including this Change Order in the amount of \$90,781.00. Additionally submitted was the Project Completion Affidavit indicating this new final cost. Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, Change Order No. 1 (Final) and the Project Completion Affidavit were approved subject to the filing of the appropriate three-year Maintenance Bond.

APPROVAL OF CONTRACTS/PROPOSALS/AGREEMENTS/ADDENDA

The following Contracts/Proposals/Agreements/Addenda were submitted to the Board for approval:

TYPE	DESCRIPTION	BUSINESS	AMOUNT	MOTION/ CARRIED
Construction Contract	Fredrickson Park Entrance, North Extension Closure and Gas Extraction System	Rieth-Riley Construction	\$455,380.00	Gilot/Inks
Triple Trailer Permit	Ingress & Egress from the Toll Road	Conway Freight Central		Inks/Littrell
Construction Contract	West Washington Street Sewer Repair	Rieth Riley Construction	\$85,982.50	Gilot/Littrell
Grant Agreement	Kenmore Street Model Block – Neighborhood Residential Enhancement Matching Grant Program	614 South Illinois	\$3,679.50	Tabled Pending Further Legal Review. Gilot/Inks
Grant Agreement	Kenmore Street Model Block – Neighborhood Residential Enhancement Matching Grant Program	806 Sheridan	\$1,300.00	Tabled Pending Further Legal Review. Gilot/Inks
Grant Agreement	Kenmore Street Model Block – Neighborhood Residential Enhancement Matching Grant Program	726 Falcon Street	\$278.00	Tabled Pending Further Legal Review. Gilot/Inks
Grant Agreement	Portage Avenue Commercial	2255 Portage Avenue	\$5,160.00	Tabled pending further

TYPE	DESCRIPTION	BUSINESS	AMOUNT	MOTION/ CARRIED
	Corridor – Façade Improvement Matching Grant Program			legal review. Gilot/Inks
Grant Agreement	Lincoln Way West Commercial Corridor Façade, Improvement Matching Grant Program	513 Lincoln Way West	\$20,000.00	Tabled Pending Further Legal Review. Gilot/Inks
Grant Agreement	Building Block – Near West Side Neighborhood Organization	716 West Colfax Avenue	\$125.00	Tabled Pending Further Legal Review. Gilot/Inks
Youth Grant Agreement		Healthy Communities Initiative “Youth on the Move”	\$2,000.00	Tabled Pending Further Legal Review. Gilot/Inks
Youth Grant Agreement		Believer’s COGIC “Searching for Assets”	\$1,425.00	Tabled Pending Further Legal Review. Gilot/Inks
Proposal	Studebaker/Oliver Redevelopment – Additional Services Agreement for Overall Environmental Consulting Services	Hull & Associates	\$15,000.00	Inks/Littrell
Grant Agreement	River Park Residential Enhancement Grant Program	3003 Northside Boulevard	\$4,687.50	Tabled pending further legal review. Gilot/Inks
Grant Agreement	South Gateway Police Operations	South Bend Police Department	\$3,000.00	Tabled pending further legal review. Gilot/Inks
Addendum Grant Agreement	Ceasefire Program	Ceasefire of South Bend, Inc.	Revision of ending date to April 30, 2007	Gilot/Inks

**RENEWAL – RESERVED HANDICAPPED PARKING AREA**

Ms. Elizabeth J. Lies, South Bend, Indiana, submitted a renewal for Reserved Handicapped Parking on West Wayne Street. Mr. Gilot noted the required paperwork was submitted. Upon a motion made by Mr. Gilot, seconded by Mr. Inks, and carried, the Reserved Parking was approved.

**APPROVAL OF RECOMMENDATION – TO CLOSE A STREET – MICHIGAN FROM COLFAX TO ST. JOSEPH – DOWNTOWN FOR THE HOLIDAYS**

Mr. Gilot stated that favorable recommendations have been received by Traffic and Lighting, the Police Department and the City Attorney’s office, in reference to a request as submitted by the South Bend Park Department to close the above referenced street in

conjunction with their event on December 1, 2006, from 5:00 p.m. to 8:00 p.m. Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the recommendation was approved.

APPROVAL OF RECOMMENDATION – TO CONDUCT “ST MARGARET’S HOUSE WINTER WALK – 2007”

Mr. Gilot stated that favorable recommendations have been received by Traffic and Lighting, Police Department, Engineering, Park Department and the City Attorney’s office, in reference to a request as submitted by Ms. Kathryn Schneider, St. Margaret’s House, 117 North Lafayette, South Bend, Indiana, to conduct the above referenced walk on Sunday, February 11, 2007, from 1:30 p.m. to 4:30 p.m. Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the recommendation was approved.

APPROVAL OF RECOMMENDATION – TO CONDUCT “KEY BANK 5K RUN & WALK SALMON CHASE”

Mr. Gilot stated that favorable recommendations have been received by Traffic and Lighting, Police Department, Engineering, Park Department and the City Attorney’s office, in reference to a request as submitted by Ms. Kimberly Sult, Madison Foundation, 403 East Madison, South Bend, Indiana to conduct the above referenced event on Saturday, September 15, 2007, from 6:30 a.m. to 10:30 a.m. Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the recommendation was approved.

APPROVAL OF RECOMMENDATION – TO CLOSE A STREET – WASHINGTON STREET BETWEEN MICHIGAN AND ST. JOSEPH – U.S. ARMY TAILGATE PARTY

Mr. Gilot stated that favorable recommendations have been received by Traffic and Lighting, Police Department, Engineering and the City Attorney’s office, in reference to a request submitted by Ms. Lisa Malin, Hall of Fame, 111 South St. Joseph Street, South Bend, Indiana to close the above referenced street in conjunction with their event on November 18, 2006, from 6:00 a.m. to 2:00 p.m. Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the recommendation was approved.

RELEASE OF EASEMENT – PROPERTY AT STATE ROAD 933 & DARDEN ROAD – NEW WALGREEN’S DRUG STORE

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above referenced easement was approved, subject to the relocation, replacement and dedication of a new easement of the sewer connection at their expense. This easement is for the construction of a new Walgreen’s Drug Store at the corner of State Road 933 and Darden Road. The City does not have a sewer or water main in the easement but there is a private sewer tap and a 2 inch water line. The developer is aware of the sewer and water lines and will move them into the proposed easement during construction of the new building.

APPROVAL OF REVOCABLE PERMIT – TEMPORARY PARKING SPOTS IN FRONT OF 129 SOUTH MICHIGAN STREET – WNIT TV

Mr. Gilot stated a Revocable Permit has been received for the purpose of allowing temporary parking in front of 129 South Michigan Street for the purpose of filming a television spot. The encroachment shall remain in the right-of-way until the time as the Board of Public Works of the City of South Bend shall determine that such encroachment is in any way impairing or interfering with the highway or with the free and safe flow of traffic. Upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the Revocable Permit was approved.

APPROVE CONSENT TO ANNEXATION AND WAIVER OF RIGHTS TO REMONSTRATE AND ACKNOWLEDGMENT OF CITY COMPACT FEES

Mr. Gilot stated that the Board is in receipt of a Consent to Annexation and Waiver of Right to remonstrate as submitted by Pastor Herb Buwalda, Jr., Clay United Methodist Church, 17646 Cleveland Road, South Bend, Indiana. The Consent indicates that in consideration for permission to tap into public sanitary sewer and water system of the City, to provide sanitary sewer and water service to 52886 Ironwood Road, South Bend, Indiana, (Key # 002-2016-0332), Clay United Methodist Church waives and releases any and all right to remonstrate against or oppose any pending or future annexation of the

property by the City of South Bend. Therefore, Mr. Inks made a motion that the Consent be approved. Mr. Littrell seconded the motion, which carried.

FILING OF SAFETY REPORTS – DEPARTMENT OF PUBLIC WORKS

The Division of Environmental Services, Street Department, Division of Engineering, and Water Works submitted Safety Reports for October 2006. These reports will reflect injuries/accidents for each month and provide for a comparison. There being no further discussion, upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the reports were accepted and filed.

FILING OF MONTHLY REPORT – ENVIRONMENTAL SERVICES

Mr. Jack Dillon, Director of Environmental Services, submitted a report for the Division of Environmental Services, for the Wastewater Treatment Plant, Organic Resources, Solid Waste and Sewer Repair, for the month of October 2006. There being no further discussion, upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the monthly reports were accepted and filed.

FILING OF MONTHLY REPORT – WATER WORKS

Mr. Andy Wierzbicki, Water Works, submitted a report for the Division of Water Works for the month of October 2006. There being no further discussion, upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the monthly report was accepted and filed.

APPROVE TRAFFIC CONTROL DEVICE

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the following traffic control device was approved:

NEW INSTALLATION:	Handicapped Accessible Parking Space Signs
LOCATION:	2629 Hartzer Street
REMARKS:	All Criteria Has Been Met

APPROVE WASTEWATER DISCHARGE PERMIT RENEWALS AND EXTENSIONS

In a Memorandum to the Board, Mr. Manuel Bueno, Division of Environmental Services, submitted the following Wastewater Discharge Permits for renewal and extensions and recommended approval:

HEAT TREAT, INC – Renewal  
HONEYWELL INTERNATIONAL, INC – Renewal  
NIMET INDUSTRIES, INC – Extension  
STEEL WAREHOUSE COMPANY – Extension  
NEW ENERGY CORP – Extension  
HALDEX GARPHTTAN WIRE CORPORATION – Extension

Upon a motion made by Mr. Gilot, seconded by Mr. Inks, and carried, the above referenced permits were approved for renewals/extensions.

APPROVE AND/OR RELEASE CONTRACTOR AND EXCAVATION BONDS

Mr. Anthony Molnar, Engineer, Division of Engineering, recommended that the following Contractor and Excavation Bonds be approved and/or released as follows:

BOND OF CONTRACTOR

Bruce Majeski d/b/a Allstate Construction	Approved Effective October 20, 2006, Pursuant to Resolution No. 100-2000
DNA Concrete Inc.	Released Effective November 8, 2006
Paul Turrell d/b/a Turrell Concrete	Approved Effective October 24, 2006, Pursuant to Resolution No. 100-2000
Asphalt Engineers Inc.	Released Effective November 12, 2006

BOND OF EXCAVATION

Asphalt Engineers Inc.

Released Effective November 12, 2006

Dewayne Bontrager dba  
Springview Farms

Approved Effective November 1, 2006,  
Pursuant to Resolution No. 100-2000

Pelley Excavating

Approved Effective November 1, 2006,  
Pursuant to Resolution No 100-2000

OCCUPANCY BOND

Shook Inc

Approved Effective November 7, 2006,  
Pursuant to Resolution No 100-2000

Mr. Gilot made a motion that the recommendation be accepted and that the Bonds be approved and/or released as outlined above. Mr. Inks seconded the motion, which carried.

ADOPT RESOLUTION NO. 64-2006 – DISPOSAL OF OBSOLETE CITY OWNED PROPERTY

Upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the following Resolution was adopted by the Board of Public Works:

RESOLUTION NO. 64-2006

A RESOLUTION OF THE SOUTH BEND BOARD OF PUBLIC WORKS  
ON DISPOSAL OF UNFIT AND/OR OBSOLETE PROPERTY

WHEREAS, it has been determined by the Board of Public Works that the following property is unfit for the purpose for which it was intended and is no longer needed by the City of South Bend:

SEE ATTACHED LIST

WHEREAS, Indiana Code 5-22-22 permits and establishes procedure for disposal of personal property which is unfit for the purpose for which it was intended and which is no longer needed by the City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend that the items listed above are no longer needed by the City; are unfit for the purpose for which they were intended and have an estimated value of less than one thousand dollars (\$1,000.00).

BE IT FURTHER RESOLVED, that said items may be transferred or sold at public auction or private sale, without advertising. However, if the property is deemed worthless, such may be demolished or junked.

ADOPTED this 13th day of November 2006.

BOARD OF PUBLIC WORKS  
CITY OF SOUTH BEND, INDIANA  
s/Gary A. Gilot, President  
s/Carl P. Littrell, Member  
s/Donald E. Inks, Member

ATTEST:

s/Linda M. Martin, Clerk

FILING OF CERTIFICATES OF INSURANCE

Upon a motion made by Mr. Gilot, seconded by Mr. Inks, and carried, the following Certificates of Insurance were accepted for filing:

Atlantic Plant Services, Inc.  
Joliet, Illinois 60436

Sergio Corporation d/b/a  
First Response  
South Bend, Indiana 46513

Bancroft Electric, Inc.  
La Porte, Indiana 46350

McCollough-Scholten construction, Inc  
Elkhart, Indiana 46515

APPROVE CLAIMS

Mr. Gilot stated that the following claims were submitted to the board for approval:

Name	Amount of Claim	Date
City of South Bend	\$2,180,249.72	October 16, 2006
City of South Bend	\$3,657,186.13	October 30, 2006
City of South Bend	\$2,103,050.10	November 6, 2006
City of South Bend	\$1,432,507.85	November 13, 2006
St. Joseph County Housing Consortium	\$4,251.23	October 9, 2006
St. Joseph County Housing Consortium	\$190.64	October 20, 2006
St. Joseph County Housing Consortium	\$25,402.03	October 20, 2006
St. Joseph County Housing Consortium	\$157.84	October 20, 2006
St. Joseph County Housing Consortium	\$8,716.13	October 20, 2006
St. Joseph County Housing Consortium	\$619.10	October 20, 2006
St. Joseph County Housing Consortium	\$126.87	October 20, 2006
St. Joseph County Housing Consortium	\$2,004.04	October 20, 2006
St. Joseph County Housing Consortium	\$114.98	October 20, 2006
St. Joseph County Housing Consortium	\$3,654.44	October 20, 2006
St. Joseph County Housing Consortium	\$2,056.50	October 20, 2006
St. Joseph County Housing Consortium	\$10,010.10	October 20, 2006
St. Joseph County Housing Consortium	\$2,951.27	October 20, 2006
St. Joseph County Housing Consortium	\$1,807.50	October 20, 2006
St. Joseph County Housing Consortium	\$2,855.73	October 20, 2006
St. Joseph County Housing Consortium	\$697.79	October 20, 2006

Mr. Inks made a motion that the claims be approved and the reports as submitted be filed.  
Mr. Littrell seconded the motion, which carried.

ADJOURNMENT

There being no further business to come before the Board, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the meeting adjourned at 10:16.

BOARD OF PUBLIC WORKS

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Gary A. Gilot, President

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Carl P. Littrell, Member

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Donald E. Inks, Member

ATTEST:

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Linda M. Martin, Clerk